

**From:** [John Craig](#)  
**To:** [Dominic Budetti](#)  
**Cc:** [John Zulack](#); [Butler, Jeff E. \(Litigation-NY\)](#); [Gao, Ernie \(Regional Management-NY\)](#); [~Left Firm 15/07/22 MSO](#)  
[Tangherlini, La'Tise \(Litigation-WAS\)](#); [evicens@cgsh.com](#); [Christopher Houpt](#); [swolowitz@mayerbrown.com](#); [Kevin C. Kelly](#); [Bianca Lin](#); [Lauren Pincus](#); [Christopher Allegaert](#); [Lena Konanova](#); [Lena Konanova](#); [Joshua Margolin](#); [David Flugman](#); [Amy Nemetz](#); [Meredith Nelson](#); [Samuel Kwak](#); [Ron Krock](#); [Jordan Garman](#); [DMolton@brownrudnick.com](#); [MKrzymowski@brownrudnick.com](#); [kdorso@brownrudnick.com](#); [MBurke@brownrudnick.com](#); [Alosco, Brian M.](#)  
**Subject:** [EXT] RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)  
**Date:** Friday, December 10, 2021 4:05:33 PM  
**Attachments:** [image001.png](#)

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Julie and David,

Thank you for taking the time to speak with us this afternoon. From our meet and confer we understand that the Liquidators will attempt to identify the transactions at issue for each of our respective Luxembourg clients, so that we can continue the meet and confer process once we have identified what, if any, information our clients have, and to what extent foreign law might force us to redact or hold back materials. We note that we have repeatedly requested this information, and indeed, again requested this information during our Rule 26 conference back in October.

Best regards,  
John

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**From:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Sent:** Thursday, December 9, 2021 9:59 AM  
**To:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
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**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

John,

In advance of our meet-and-confer on Friday, we thought it would be productive to lay out our view of how the RFPs and interrogatories we served on the Luxembourg Citco Beneficial Owners bear on the parties' jurisdictional discovery and the types of documents that we would expect to be encompassed by those RFPs and interrogatories. We hope that you and counsel for the other defendants will be able to review this information prior to our meet-and-confer so that we can have

a substantive discussion about your clients' positions on what they will and will not agree to produce in discovery at this time.

To be clear, although we are willing to focus on jurisdictional discovery at the outset in the interest of efficiency, we maintain that the Liquidators are entitled to seek all relevant discovery at this time, including merits discovery, consistent with the Court's repeated instructions that discovery should go forward under the Federal Rules. As such, nothing herein should be construed as precluding the Liquidators from further pursuing that discovery in the future.

We also note that the Liquidators' willingness to provide the information below regarding certain types of documents that would be responsive to each request and the jurisdictional theories that relate to each request is intended to promote an efficient meet and confer based on our experience with other defendants. Please understand that this information is illustrative and should in no way be read as a limitation on the jurisdictional theories that the Liquidators can or may pursue or as an agreement that only those documents identified below need be produced. The Liquidators do not intend to limit the scope of any request by providing this illustrative information and reserve all rights accordingly.

As a threshold matter, the Liquidators are not currently seeking jurisdictional discovery with respect to RFPs 3, 5, 11, 13, and 16 or Interrogatory 5. The Liquidators do not concede, however, that any of those RFPs or Interrogatories are not relevant to the issue of personal jurisdiction. With respect to each of the remaining RFPs and Interrogatories, the Liquidators provide the following information to help guide our discussion on Friday:

#### **First Set of Requests for Production**

No.	Request	Exemplary Documents & Communications	Relevance
1	Documents and Communications concerning any decision made by You (or on Your behalf) to subscribe in Sentry rather than a different Fund.	<p>*Private Placement Memoranda for investments in the Funds and documents incorporating or referencing the same.</p> <p>*Internal memoranda, notes, and correspondence evaluating a potential or actual investment in the Funds or other foreign-currency based feeder funds.</p> <p>*Transmittal communications (e.g., cover emails or letters) that accompanied transmission of PPMs or other marketing materials from the</p>	<p>Relevant to demonstrating:</p> <ol style="list-style-type: none"> <li>(1) An agency relationship between the Defendant and a Record Holder or other entity;</li> <li>(2) The choice by the Defendant or a Record Holder or other entity acting as the Defendant's agent to invest in Sentry over a foreign currency-based fund;</li> <li>(3) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and</li> <li>(4) The Defendant's intent to invest in BLMIS and/or</li> </ol>

		<p>Record Holders or other entities.</p> <p>*Other communications with the Record Holders or other third parties regarding investment in the Funds.</p>	<p>knowledge that the investment with the Funds was going to BLMIS.</p>
2	Documents and Communications concerning Your use of U.S. correspondent banks to effect subscriptions in and receive redemptions from Sentry, including but not limited to those concerning the purpose of using U.S. correspondent banks.	<p>*Records showing transfers to and from the Defendant's U.S. correspondent bank accounts or the U.S. bank account of a third party used in connection with the subscription or redemption of shares in Sentry.</p> <p>*Communications regarding the decision to use, selection of, use of, or control over a U.S. correspondent bank by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.</p> <p>*Documents designating banks for the purposes of transferring and/or receiving funds from Sentry for the benefit of the Defendant, including Subscription Agreements.</p>	<p>Relevant to demonstrating:</p> <ol style="list-style-type: none"> <li>(1) An agency relationship between the Defendant and a Record Holder or other entity;</li> <li>(2) The deliberate designation of U.S.-based correspondent accounts by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and</li> <li>(3) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.</li> </ol>
4	All agreements concerning subscription in the Funds dated January 1, 1990 to December 31, 2008 between You and any Person who redeemed shares from the Funds on Your behalf between January 1, 2004 and December 31, 2008.	<p>*Brokerage and custody agreements between the Defendant and any Record Holder or other entity pertaining to investment in the Funds.</p> <p>*Any other agreement concerning investment in the Funds to the extent such agreement also evidences an agency relationship between the Defendant and any Record Holder or other entity.</p>	<p>Relevant to demonstrating:</p> <ol style="list-style-type: none"> <li>(1) An agency relationship between the Defendant and a Record Holder or other entity;</li> <li>(2) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS; and, to the extent referenced in the agreements</li> <li>(3) Correspondent account use by the Defendant or by a</li> </ol>

			Record Holder or other entity acting as the Defendant's agent.
6	Documents and Communications between You and the Citco Subscribers concerning the Citco Subscribers' actual or potential (direct or indirect) subscription to shares of the Funds, including but not limited to any marketing or solicitation of subscriptions to shares of the Funds or any investment in BLMIS, or any relationship of trustee, agent, representative, nominee, custodian, or otherwise with respect to any actual or potential subscription (direct or indirect) in the Funds on Your behalf, including but not limited to Brokerage & Custody Agreements between You and the Citco Subscribers.	<p>*Documents and communications between the Defendant and any Record Holder or other entity concerning knowledge that an investment in the Funds was tantamount to an investment in BLMIS.</p> <p>*Documents and communications exchanged between or agreements between the Defendant and any Record Holder or other entity concerning subscription in the Funds.</p>	Relevant to demonstrating: <ul style="list-style-type: none"> <li>(1) An agency relationship between the Defendant and a Record Holder or other entity;</li> <li>(2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and</li> <li>(3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.</li> </ul>
7	Documents and Communications concerning the nature or scope of the Citco Subscribers' role as Your trustee, agent, representative, nominee, custodian, or otherwise in connection with subscriptions in the Funds under any Brokerage & Custody Agreement or otherwise, including but not limited to the extent of the Citco Subscribers' ability to exercise control	<p>*Documents and communications that evidence an agency relationship between the Citco Subscriber and Defendant, including any such documents that speak to correspondent account use.</p> <p>*Documents and communications evidencing the Citco Subscriber's conduct as the Defendant's agent in connection with subscription in or redemption from the Funds.</p>	Relevant to demonstrating: <ul style="list-style-type: none"> <li>(1) An agency relationship between the Defendant and a Record Holder or other entity; and</li> <li>(2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent</li> </ul>

	or discretion over Your subscriptions in the Funds		
8	All copies of the Subscription Agreements between the Citco Subscribers and the Funds entered on Your behalf	*All documents responsive to the request.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
9	Documents and Communications concerning the nature or scope of the Citco Subscribers' role vis-à-vis You under any Subscription Agreement entered by the Citco Subscribers with the Funds on Your behalf	*Documents and communications exchanged between or agreements between the Defendant and any Record Holder or other entity evidencing an agency relationship between the Citco Subscribers and the Defendant.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.
10	Documents and Communications concerning the authority of the Citco Subscribers to act on Your behalf, including with respect to entering Subscription Agreements with the Funds	*Documents and communications that evidence an agency relationship between the Defendant and the Citco Subscribers or a related entity for purposes of subscribing in the Funds.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.
12	Documents and Communications concerning Your internal compliance rules, guidelines, or policies regarding investing with	*Policies, guidelines, and documents pertaining to the investment approval process, including investment memoranda, applicable to the Defendants' investment in the	Relevant to demonstrating: (1) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS; and

	or subscribing through third-party asset managers, including the approval process, mandatory diligence items and necessary documentation	Funds, BLMIS, or any BLMIS feeder fund.	(2) Due diligence and related conduct by the Defendant or their agent that occurred in or was aimed at the United States.
14	Communications between You or the Citco Subscribers and BLMIS regarding Your subscriptions in the Funds, BLMIS, or other BLMIS feeder funds	*Due diligence-related documents and communications exchanged between the Defendant or the Citco Subscriber and BLMIS whether related to the Funds, other BLMIS feeder funds, or otherwise.	Relevant to demonstrating: (1) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS; and (2) Due diligence and related conduct by the Defendant or their agent that occurred in or was aimed at the United States.
15	Documents and Communications exchanged with the Citco Subscribers regarding the Funds, BLMIS, other BLMIS feeder funds, or Your subscriptions therein, including but not limited to the performance of Your subscriptions in the Funds, BLMIS, or other BLMIS feeder funds, and redemptions of Your subscriptions in the Funds or BLMIS, or other BLMIS feeder funds	*Documents and communications between the Defendant and the Citco Subscribers relating to where the money invested in the Funds was going or evidencing the Defendant's general knowledge of BLMIS or Madoff. *Communications between the Defendant and the Citco Subscribers relating to BLMIS or other BLMIS feeder funds, including those concerning potential or actual investment in the same. *Documents and communications between the Defendant and the Citco Subscribers concerning the Citco Subscribers' authority to make subscriptions and redemptions on the Defendants' behalf, including any such documents or communications evidencing exercise of that authority.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.

17	To the extent not requested above, all Documents and Communications from any time upon which You may rely in seeking dismissal of the operative complaint	*All responsive documents.	Required by the Federal Rules.
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**First Set of Interrogatories**

No.	Interrogatory	Relevance
1	Identify all Persons involved in any written or oral Communications concerning using a U.S. correspondent bank for Your or the Citco Subscribers' use in redeeming shares from Sentry.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.
2	Identify all Persons involved in the evaluation of the Fund or Funds in which to subscribe, in whole or in part.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) The choice by the Defendant or a Record Holder or other entity acting as the Defendant's agent to invest in Sentry over a foreign currency-based fund; (3) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (4) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
3	Identify Your place of incorporation.	Relevant to jurisdiction, general and specific. (Note: CACEIS Bank Luxembourg has sufficiently responded to this interrogatory and, as a result, the Liquidators do not seek any further information in response to this request from that defendant).
4	Identify Your principal place of business.	Relevant to jurisdiction, general and specific. (Note: CACEIS Bank Luxembourg has sufficiently responded to this interrogatory and, as a result, the Liquidators do not seek any further information in response to this request from that defendant).
6	Identify all Citco entities which entered into Brokerage & Custody Agreements with You, and the date(s) of such	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; and (2) The Defendant's intent to invest in BLMIS and/or

	agreements.	knowledge that the investment with the Funds was going to BLMIS.
7	Identify all Citco entities which entered into Subscription Agreements with the Funds on Your behalf, and the date(s) of such agreements.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; and (2) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
8	Identify the date(s) You requested the Citco Subscribers redeem any subscription of Yours in the Funds.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; and (2) Redemption payments that may be linked to correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.
9	Identify all redemption payments that You received in connection with Your subscription to (whether direct or indirect) shares of the Funds, from January 1, 2004 until December 31, 2008.	Relevant to demonstrating the Defendant's receipt of Redemption payments that may be linked to correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent.
10	Identify all Persons involved in hiring or communicating with the Citco Subscribers in relation to Your subscriptions in the Funds..	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) The choice by the Defendant or a Record Holder or other entity acting as the Defendant's agent to invest in Sentry over a foreign currency-based fund; (3) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (4) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
11	Identify all Persons involved in monitoring the performance of Your subscriptions (direct or indirect) in the Funds.	Relevant to demonstrating the Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
12	Identify all Persons who communicated with the Citco Subscribers regarding BLMIS, the Funds, other BLMIS feeder funds, or Your investments or subscriptions therein.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was

		going to BLMIS.
13	Identify all Persons who communicated with BLMIS.	Relevant to demonstrating: (1) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS; and (2) Due diligence and related conduct by the Defendant or their agent that occurred in or was aimed at the United States.
14	Identify all Persons and internal committees whose review or approval was required for You to subscribe (directly or indirectly) in the Funds.	Relevant to demonstrating: (1) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS; and (2) Due diligence and related conduct by the Defendant or their agent that occurred in or was aimed at the United States.
15	Identify all Persons involved in the decision to redeem Your subscriptions (direct or indirect) in the Funds.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
16	Identify all Persons and internal committees whose review or approval was required for You to redeem Your subscriptions (direct or indirect) in the Funds.	Relevant to demonstrating the Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.
17	Identify all Persons employed by the Citco Subscribers with whom you communicated regarding Your subscriptions (direct or indirect) in the Funds.	Relevant to demonstrating: (1) An agency relationship between the Defendant and a Record Holder or other entity; (2) Correspondent account use by the Defendant or by a Record Holder or other entity acting as the Defendant's agent; and (3) The Defendant's intent to invest in BLMIS and/or knowledge that the investment with the Funds was going to BLMIS.

Best,  
 Dominic  
**Dominic V. Budetti**  
 Law Clerk

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**From:** Dominic Budetti  
**Sent:** Wednesday, December 8, 2021 5:50 PM  
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**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com); [jeff.butler@cliffordchance.com](mailto:jeff.butler@cliffordchance.com); [ernie.gao@cliffordchance.com](mailto:ernie.gao@cliffordchance.com); [latise.tangherlini@cliffordchance.com](mailto:latise.tangherlini@cliffordchance.com); [evicens@cgsh.com](mailto:evicens@cgsh.com); Christopher Houpt <[choupt@mayerbrown.com](mailto:choupt@mayerbrown.com)>; [swołowitz@mayerbrown.com](mailto:swołowitz@mayerbrown.com); Kevin C. Kelly <[kkelly@mayerbrown.com](mailto:kkelly@mayerbrown.com)>; Bianca Lin <[BLin@abv.com](mailto:BLin@abv.com)>; Lauren Pincus <[lpincus@abv.com](mailto:lpincus@abv.com)>; Christopher Allegaert <[callegaert@abv.com](mailto:callegaert@abv.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Joshua Margolin <[jmargolin@selendygay.com](mailto:jmargolin@selendygay.com)>; David Flugman <[dflugman@selendygay.com](mailto:dflugman@selendygay.com)>; Amy Nemetz <[anemetz@selendygay.com](mailto:anemetz@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Samuel Kwak <[skwak@selendygay.com](mailto:skwak@selendygay.com)>; Ron Krock <[rkrock@selendygay.com](mailto:rkrock@selendygay.com)>; Jordan Garman <[jgarman@selendygay.com](mailto:jgarman@selendygay.com)>; [DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com); [MKrzyzowski@brownrudnick.com](mailto:MKrzyzowski@brownrudnick.com); [kdorso@brownrudnick.com](mailto:kdorso@brownrudnick.com); [MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com); Alosco, Brian M. <[BAlasco@brownrudnick.com](mailto:BAlasco@brownrudnick.com)>  
**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

Great. Thanks, John. I'll send around an invite now.

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**From:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
**Sent:** Wednesday, December 8, 2021 3:43 PM  
**To:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com); [jeff.butler@cliffordchance.com](mailto:jeff.butler@cliffordchance.com); [ernie.gao@cliffordchance.com](mailto:ernie.gao@cliffordchance.com); [latise.tangherlini@cliffordchance.com](mailto:latise.tangherlini@cliffordchance.com); [evicens@cgsh.com](mailto:evicens@cgsh.com); Christopher Houpt <[choupt@mayerbrown.com](mailto:choupt@mayerbrown.com)>; [swołowitz@mayerbrown.com](mailto:swołowitz@mayerbrown.com); Kevin C. Kelly <[kkelly@mayerbrown.com](mailto:kkelly@mayerbrown.com)>; Bianca Lin <[BLin@abv.com](mailto:BLin@abv.com)>; Lauren Pincus <[lpincus@abv.com](mailto:lpincus@abv.com)>; Christopher Allegaert <[callegaert@abv.com](mailto:callegaert@abv.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Joshua Margolin <[jmargolin@selendygay.com](mailto:jmargolin@selendygay.com)>; David Flugman <[dflugman@selendygay.com](mailto:dflugman@selendygay.com)>; Amy Nemetz <[anemetz@selendygay.com](mailto:anemetz@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Samuel Kwak <[skwak@selendygay.com](mailto:skwak@selendygay.com)>; Ron Krock <[rkrock@selendygay.com](mailto:rkrock@selendygay.com)>; Jordan Garman <[jgarman@selendygay.com](mailto:jgarman@selendygay.com)>; [DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com); [MKrzyzowski@brownrudnick.com](mailto:MKrzyzowski@brownrudnick.com); [kdorso@brownrudnick.com](mailto:kdorso@brownrudnick.com); [MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com)  
**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

Dominic,

That sounds great. Can you send an invite at 2 PM?

Thank you,  
John

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**From:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Sent:** Tuesday, December 7, 2021 10:58 AM  
**To:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com); [jeff.butler@cliffordchance.com](mailto:jeff.butler@cliffordchance.com); [ernie.gao@cliffordchance.com](mailto:ernie.gao@cliffordchance.com); [latise.tangherlini@cliffordchance.com](mailto:latise.tangherlini@cliffordchance.com); [evicens@cgsh.com](mailto:evicens@cgsh.com); Christopher Houpt <[choupt@mayerbrown.com](mailto:choupt@mayerbrown.com)>; [swołowitz@mayerbrown.com](mailto:swołowitz@mayerbrown.com); Kevin C. Kelly <[kkelly@mayerbrown.com](mailto:kkelly@mayerbrown.com)>; Bianca Lin <[BLin@abv.com](mailto:BLin@abv.com)>; Lauren Pincus <[lpincus@abv.com](mailto:lpincus@abv.com)>; Christopher Allegaert <[callegaert@abv.com](mailto:callegaert@abv.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Joshua Margolin <[jmargolin@selendygay.com](mailto:jmargolin@selendygay.com)>; David Flugman <[dflugman@selendygay.com](mailto:dflugman@selendygay.com)>; Amy Nemetz <[anemetz@selendygay.com](mailto:anemetz@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Samuel Kwak <[skwak@selendygay.com](mailto:skwak@selendygay.com)>; Ron Krock <[rkrock@selendygay.com](mailto:rkrock@selendygay.com)>; Jordan Garman <[jgarman@selendygay.com](mailto:jgarman@selendygay.com)>; [DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com); [MKrzyzowski@brownrudnick.com](mailto:MKrzyzowski@brownrudnick.com); [kdorso@brownrudnick.com](mailto:kdorso@brownrudnick.com); [MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com)  
**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

John,

We can do Friday, December 10 from 1:00 to 3:00 pm. I will circulate a dial-in if that time still works for all of you.

Best,  
Dominic

**Dominic V. Budetti**  
Law Clerk

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Pronouns: he, him, his

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**From:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
**Sent:** Monday, December 6, 2021 4:41 PM  
**To:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com)

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[MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com)

**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

Dominic,

How does your team's schedule look for Friday afternoon between 1 and 5 PM? Please let us know your availability.

Thanks,  
John

---

**From:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Sent:** Monday, December 6, 2021 3:49 PM  
**To:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com);  
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[MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com)

**Subject:** RE: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

John,

We will be sure to include you in future correspondence with the ABV Citco team.

As for your proposal, while we understand the need for the Luxembourg Citco defendants to discuss these matters amongst themselves, we are also mindful of the limited period of time in which we have to engage in discovery, resolve any outstanding discovery disputes, and incorporate the

resulting discovery into our Rule 12(b)(2) oppositions. Accordingly, the Liquidators request that the Luxembourg Citco defendants provide us with proposed dates for a joint meet and confer by end of day **Wednesday, December 8**, so that we have adequate time to schedule a meeting for this week or next week. Additionally, the Liquidators request that you and counsel for the remaining Luxembourg Citco defendants come to the meet and confer with a sense of the information already in your clients' possession and a detailed position on your clients' foreign law objections, including what limits those laws place on the production of documents, correspondence, and information that would otherwise be responsive to each request or interrogatory.

All the best,  
Dominic

**Dominic V. Budetti**

Law Clerk

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**Selendy & Gay PLLC**

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Pronouns: he, him, his

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**From:** John Craig <[jcraig@abv.com](mailto:jcraig@abv.com)>  
**Sent:** Friday, December 3, 2021 9:41 AM  
**To:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Cc:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com); [jeff.butler@cliffordchance.com](mailto:jeff.butler@cliffordchance.com); [ernie.gao@cliffordchance.com](mailto:ernie.gao@cliffordchance.com); [latise.tangherlini@cliffordchance.com](mailto:latise.tangherlini@cliffordchance.com); [evicens@cgsh.com](mailto:evicens@cgsh.com); Christopher Houpt <[choupt@mayerbrown.com](mailto:choupt@mayerbrown.com)>; [swołowitz@mayerbrown.com](mailto:swołowitz@mayerbrown.com); Kevin C. Kelly <[kkelly@mayerbrown.com](mailto:kkelly@mayerbrown.com)>; Bianca Lin <[BLin@abv.com](mailto:BLin@abv.com)>; Lauren Pincus <[lpincus@abv.com](mailto:lpincus@abv.com)>; Christopher Allegaert <[callegaert@abv.com](mailto:callegaert@abv.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Lena Konanova <[lkonanova@selendygay.com](mailto:lkonanova@selendygay.com)>; Joshua Margolin <[jmargolin@selendygay.com](mailto:jmargolin@selendygay.com)>; David Flugman <[dflugman@selendygay.com](mailto:dflugman@selendygay.com)>; Amy Nemetz <[anemetz@selendygay.com](mailto:anemetz@selendygay.com)>; Meredith Nelson <[mnelson@selendygay.com](mailto:mnelson@selendygay.com)>; Samuel Kwak <[skwak@selendygay.com](mailto:skwak@selendygay.com)>; Ron Krock <[rkrock@selendygay.com](mailto:rkrock@selendygay.com)>; Jordan Garman <[jgarman@selendygay.com](mailto:jgarman@selendygay.com)>; [DMolton@brownrudnick.com](mailto:DMolton@brownrudnick.com); [MKrzyzowski@brownrudnick.com](mailto:MKrzyzowski@brownrudnick.com); [kdorso@brownrudnick.com](mailto:kdorso@brownrudnick.com); [MBurke@brownrudnick.com](mailto:MBurke@brownrudnick.com)  
**Subject:** FW: Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

Dominic,

Lauren forwarded me your email below. I am relatively new to the ABV Citco team, so please include my email address in future correspondence with us, if it is not too much trouble.

Thank you for reaching out to schedule a meet and confer. The Luxembourg Citco defendants are

still trying to schedule a time to speak in advance of your proposed meet and confer to coordinate. We are in the process of coordinating and will revert to you once we have been able to do so.

Sincerely,  
John

\*\*\*\*\*

John Craig  
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Lauren J. Pincus  
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**From:** Dominic Budetti <[dbudetti@selendygay.com](mailto:dbudetti@selendygay.com)>  
**Sent:** Tuesday, November 30, 2021 4:59 PM  
**To:** John Zulack <[jzulack@abv.com](mailto:jzulack@abv.com)>; [anthony.paccione@katten.com](mailto:anthony.paccione@katten.com); [mark.ciani@katten.com](mailto:mark.ciani@katten.com); [jeff.butler@cliffordchance.com](mailto:jeff.butler@cliffordchance.com); [ernie.gao@cliffordchance.com](mailto:ernie.gao@cliffordchance.com); [latise.tangherlini@cliffordchance.com](mailto:latise.tangherlini@cliffordchance.com); [evicens@cgsh.com](mailto:evicens@cgsh.com); Christopher Houpt <[choupt@mayerbrown.com](mailto:choupt@mayerbrown.com)>; [swolowitz@mayerbrown.com](mailto:swolowitz@mayerbrown.com); Kevin C. Kelly <[kkelly@mayerbrown.com](mailto:kkelly@mayerbrown.com)>; Bianca Lin <[BLin@abv.com](mailto:BLin@abv.com)>; Lauren Pincus <[lpincus@abv.com](mailto:lpincus@abv.com)>; Christopher Allegaert <[callegaert@abv.com](mailto:callegaert@abv.com)>  
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**Subject:** Fairfield // M&C (Luxembourgish Citco Beneficial Owners: 10-03635, 10-03636)

All,

We are in receipt of your responses and objections to the Liquidators' requests for production and interrogatories served on each of your clients, Société Générale Bank & Trust (n/k/a Société Générale Luxembourg), Caceis Bank Luxembourg, Banque Internationale a Luxembourg (f/k/a Dexia Banque International A Luxembourg), and RBC Dexia Investor Service Julius Baer SICAV. We write to inquire about whether you are amenable to joining a groupwide meet-and-confer to discuss issues that are relevant to all Luxembourgish defendants in 10-03635 and 10-03636. If those who are interested could provide us with availability for this week and next, we can attempt to coordinate a time that is agreeable to the group.

We look forward to discussing.

Best regards,  
Dominic

**Dominic V. Budetti**  
Law Clerk

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Pronouns: he, him, his